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OFFICE OF PETITIONS

DECISION GRANTING PETITION
UNDER 37 CFR 1.10(d)

ALIX YALE & RISTAS LP
750 MAIN STREET SUITE 1400
HARTFORD CT 06103-2721

In re Application of
West
Application No. 10/611,581
Filed: June 30, 2003
Attorney Docket No. CREATK/101/US

This is a decision on the petition filed October 17, 2003, under 37 CFR 1.10(d), requesting that the above-identified non provisional application be accorded a filing date of June 30, 2003, rather than the presently accorded filing date of July 1, 2003.

The petition is granted.

Petitioner has met the requirements of 37 1.10(d) including the corroborative showing required by 37 CFR 1.10(d)(3), which establishes that the instant application papers were deposited with the USPS under its Express Mail Post Office to Addressee Service prior to the last scheduled pick up on June 30, 2003. As such, the instant application papers are considered to have been filed with the USPTO on June 30, 2003. See 37 CFR 1.10(a).

Accordingly, on petition, and for the reasons aptly advanced by petitioner, the requested filing date can be granted.

OIPE is instructed to further process this application as a non provisional application with a filing date of June 30, 2003.

Telephone inquiries concerning this decision may be directed to the undersigned at (703) 305-1820. Telephone inquiries related to OIPE processing should be directed to the OIPE hotline at (703) 308-1202.

Brian Hearn
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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